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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/521,448	03/07/2000	Yoshiki Watanabe	21.1932	1165

21171 7590 12/23/2002

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EXAMINER

TRAN, MYLINH T

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 12/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/521,448

Applicant(s)

WATANABE, YOSHIKI

Examiner

Mylinh T Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 07/31/02.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-9 and 11-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7-9 and 11-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Applicant's Amendment filed 12/02/02 has been entered and carefully considered. Claims 1, 5, 9, 13-21 have been amended. Claims 2, 6 and 10 have been cancelled. However, limitations of amended claims have not been found to be patentable over prior art of record, therefore, claims 1, 3-5, 7-9 and 11-21 are rejected under the same ground of rejection as set forth in the Office Action mailed (07/31/02).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ertemalp [US. 5,745,110] in view of Mizuno [US. 6,380,953].

As to claims 1, 5 and 9, Ertemalp discloses a layout control device forming a layout of a schedule table comprising rows and columns defining the layout, the layout formed based on a schedule quantity inside a plurality of display units (figure 11, column 4, line 51 through column 5, line 2). The difference between Ertemalp and the claim is a display control device controlling display of the schedule table according to the layout, wherein the layout control device forms

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the layout by adjusting a size of the rows or columns to accommodate the schedule quantity inside the plurality of display units. Mizuno shows the display control device controlling display on column 3, lines 19-27 and lines 41-53, figure 4, column 6, lines 25-61; and the adjusting the size of the rows or column to accommodate the schedule quantity inside the plurality of display units (figure 6, (7a)). The size of information containing in schedule quantity in "Year" is different than the size of information containing in schedule quantity in "Month". The size of the rows or columns is different from each other when users choose different box (7b-7e) at figure 6. By making selection to different box (7b-7e) of figure 6, the system adjusts the size of the rows or column to accommodate the schedule quantity inside the plurality of display units. It would have been obvious to one of ordinary skill in the art, having the teachings of Ertemalp and Mizuno before them at the time the invention was made to modify the layout control device taught by Ertemalp to include the display control device of Mizuno, in order to display a schedule in a manner whereby a user can easily view the schedule as taught by Mizuno.

As to claims 3, 7 and 11, Ertemalp shows the schedule quantity is a space required for a schedule in a row or a column with a largest number of items and/or the schedule requiring a largest display area and the layout control device forms the layout such that each display unit with the largest number of items and/or the schedule requiring the largest display area is displayed (column 2, lines 51-60 and column 5, lines 15-34).

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As to claims 4, 8 and 12, Ertemalp also shows the display control device outputs data controlling the schedule table and the schedule display to a file of a format interpretable by another processing platform (column 6, lines 24-47 and column 1-10, lines 5-52).

As to claim 13, while Ertemalp suggests the layout device dividing a calendar period into a plurality of display units displaying information, said display units formed in rows (figure 11, column 2, lines 30-60), Mizuno shows the adjusting a length of the display units of each row to match the display unit in a respective row displaying a largest size of information inside the display unit (Column 1, lines 57-63)

As to claims 14-21, the claim is analyzed as previously discussed with respect to claims 1 and 13.

Response to Arguments

Applicant has argued that "the layout is adjusted based on quantities inside the plurality of display units" is not suggested by Ertemalp or Mizuno. However, the argument is not persuasive because in Mizuno at figure 6, by picking different "Year", "Month" or "Day", the layout is adjusted. Information inside each box in calendar also adjusts (figure 3: Time, figure 5: Day, figures 6: Month, figure 7, Hour). The number of jobs selected for that row are nothing to do with the quantities inside the display unit.

Regarding claims 1, 5 and 9, Applicant has argued that the prior art does not teach a layout control device forming a layout of a schedule table comprising

rows and columns defining the layout, the layout formed based on a schedule quantity inside a plurality of display units; wherein the layout control device forms the layout by adjusting a size of the rows or columns to accommodate the schedule quantity inside the plurality of display units. However, the Examiner does not agree. While Ertemalp discloses a layout control device forming a layout of a schedule table comprising rows and columns defining the layout, the layout formed based on a schedule quantity inside a plurality of display units (figure 11, column 4, line 51 through column 5, line 2), Mizuno shows the display control device controlling display on column 3, lines 19-27 and lines 41-53, figure 4, column 6, lines 25-61; and the adjusting the size of the rows or column to accommodate the schedule quantity inside the plurality of display units (figure 6, (7a)). The size of information contained in schedule quantity in "Year" is different than the size of information contained in schedule quantity in "Month". The size of the rows or columns is different each other when users choose different box (7b-7e) at figure 6. By making selection to different box (7b-7e) of figure 6, the system adjusts the size of the rows or column to accommodate the schedule quantity inside the plurality of display units.

Regarding claims 14-21, Applicant has argued that the prior arts fail to teach the layout device dividing a calendar period into a plurality of display units displaying information, said display units formed in rows. While Ertemalp teaches the feature at figure 11, column 2, lines 30-60, Mizuno shows the adjusting a length of the display units of each row to match the display unit in a

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respective row displaying the largest size of information inside the display unit (Column 1, lines 57-63). When user chooses "Year" of figure 6, the row displays the largest size of information inside the display unit comparing "Day" or "Month".

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238, may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or

draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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Kristine Kincaid
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